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FROM: David E. Boundy

Room No.: 4578
Phone No.: (212) 728-8757
Direct FAX: (212) 728-9757TO: Examiner R. Ellis
Art Unit 2183,

Fax No.: 703 872 9306

Telephone No.: 703 305 9690

U.S. Patent and Trademark Office

City: Alexandria

State: Virginia

CONCERNING APPLICATION:

Applicant(s): Korbin S. Van Dyke, et al.

Serial No.: 09/666,110

Art Unit: 2183

Filed: September 20, 2000

Examiner: R. Ellis

Title: COMPUTER FOR EXECUTION OF RISC AND CISC INSTRUCTION SETS

EXPEDITED PROCEDURE - AFTER FINAL


I hereby certify that the attached

- This FAX cover sheet
- Request for Withdrawal of Finality
- Response to Office Action
- Information Disclosure Statement and Form PTO-1449 (4 pages)

along with any paper(s) referred to as being attached or enclosed) are being transmitted by facsimile on November 8, 2004 to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: November 8, 2004

By:


David E. Boundy
Registration No. 36,461

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PATENT

NOV 08 2004 ATTORNEY DOCKET NO. 114596-26-0051BS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 09/666,110 Confirmation No.: 1446
Applicant: Korbin S. Van Dyke, et al.
Title: COMPUTER FOR EXECUTION OF RISC AND CISC INSTRUCTION SETS
Filed: September 20, 2000
Art Unit: 2183
Examiner: R. Ellis
Atty. Docket: 114596-26-0051BS
Customer No. 38492

**EXPEDITED PROCEDURE
AFTER FINAL****REQUEST FOR WITHDRAWAL OF FINALITY OF OFFICE ACTION**

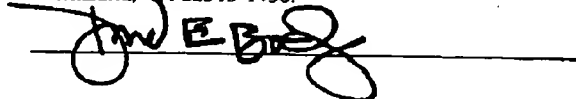
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicant observes that the Action of September 7, 2004 was prematurely made final. Applicant requests that prosecution be reopened, and that the Response to Office Action filed herewith be entered as of right.

A number of patent references were submitted on pages 1-2 of the Form 1449 submitted July 2, 2004 and returned with the Office Action of September 7, 2004. However, these references are not initialed, and no objection to consideration of these references is given.

Because examination of the application as pending as of September 2004 was not completed, final rejection and closing of prosecution was premature. Applicant requests that prosecution be reopened and that examination be completed.

I certify that this correspondence, along with any documents referred to therein, is being transmitted by facsimile on November 8, 2004 to Mail Stop AF, Art Unit 2183 at FAX no. 703 872 9306 Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Request for Withdrawal of Finality
This paper dated November 8, 2004

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114596-26-0051BS

S/N 09/666,110
2684371.2

Application Serial No. 09/666,110
Atty. Docket No. 114596-26-0051BS

For these reasons, the finality of the Action of September 2004 should be withdrawn, and the attached Response to Office Action should be entered.

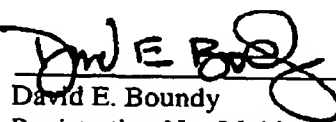
It is believed that this paper occasions no fee. Kindly charge any fee due to Deposit Account No. 23-2405, Order No. 114596-26-0051BS.

Respectfully submitted,

WILLKIE FARR & GALLAGHER LLP

Dated: November 8, 2004

By:



David E. Boundy

Registration No. 36,461

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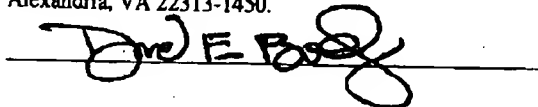
PATENT

ATTORNEY DOCKET NO. 114596-26-0051BS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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**EXPEDITED PROCEDURE
AFTER FINAL****RESPONSE TO OFFICE ACTION**

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P.O. Box 1450
Alexandria, VA 22313-1450

Applicant hereby responds to the Office Action of September 7, 2004. Kindly amend the application as follows.

AMENDMENTS TO THE CLAIMS begin on page 2 of this paper.

REMARKS/ARGUMENTS begin on page 4 of this paper.

Response to Office Action
2684371.2

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114596-26-0051BS 09/666,110